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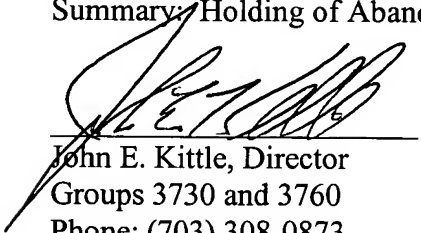
In re Application of	:	DECISION ON PETITION
Neal B. Gittleman	:	TO WITHDRAW
Serial No. : 10/034,538	:	HOLDING OF
Filed : December 28, 2001	:	ABANDONMENT
For : Expandable Dental Implant Apparatus	:	

This is a decision on petitioner's request filed May 12, 2004, to review the holding of abandonment mailed May 7, 2004, for failure to respond to the Office action mailed February 18, 2004. There is no fee required for this petition.

In support of the request, petitioner has submitted a copy of a PTO stamped receipt dated February 27, 2004, and a copy of a credit card statement as evidence of the timely filing of fees per the Informality re Payment of Fee mailed February 18, 2004. It is noted that a copy of credit card form PTO-2038 was not received with the request filed May 17, 2004. However, the records of the Office do show that the fee was credited to the instant application on March 4, 2004.

In view of the above, the Notice of Abandonment mailed February 18, 2004, is in error and is hereby vacated. The holding of abandonment is withdrawn. Upon the mailing of this decision, the application will be forwarded to the Examiner for consideration of the response filed February 11, 2004.

Summary: Holding of Abandonment Withdrawn.


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ak/06/28/04